S.B.Civil Second Appeal No.267/2007

General Manager, RSGSM Ltd., Jaipur
vs
Shanti Lal Kothari

Date of order : 25.10.2007

HON'BLE MR. PRAKASH TATIA, J.

Mr.VK Agarwal, for the appellant.

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Heard learned counsel for the appellant and perused the record also.

It appears from the facts of the case that plaintiff was given appointment by the appellants on 1st April, 1963 and in service book his date of birth record as 29th Dec., 1939. The courts below observed that the employer for the first time in the year 1983 appears to have raised objection about the date of birth of the employee, i.e., after about 20 years from the date of appointment. The courts below found that there are cutting in the service record and the date of birth was changed.

Two courts below have considered the evidence produced by the parties documentary as well as oral in detail and recorded finding of fact that the plaintiff correct date of birth was 21st Dec., 1939 and decreed the suit of the plaintiff. Therefore, I do not find any substantial questions of law involved

in this appeal.

Hence, the appeal of the appellant is dismissed having no substantial questions of law.

(PRAKASH TATIA), J.

c.p.goyal/-